

Message Text

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ACTION L-03

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FM AMEMBASSY PRETORIA
TO SECSTATE WASHDC 6455
INFO AMCONSUL CAPE TOWN
AMCONSUL DURBAN
AMCONSUL JOHANNESBURG

CONFIDENTIAL PRETORIA 5791

E.O. 11652: GDS
TAGS: PINS, SHUM, FSF
SUBJECT: DEATHS IN DETENTION

REF: STATE 304874 (NOTAL)

1. EMBASSY RECORDS INDICATE AT LEAST THIRTEEN DEATHS IN DETENTION DURING 1976: A) JOSEPH MDLULI, 50, ALLEGED ANC RECRUITER, DIED ON MARCH 19 IN DURBAN. FOUR POLICEMEN CHARGED WITH MDLULI DEATH HAVE BEEN ACQUITTED AND CASE STILL IS OPEN. B) MAPETLA MOHAPI, 25, A FORMER SASO AND BPC OFFICIAL DIED ON AUGUST 5 IN EAST LONDON. MOHAPI ALLEGEDLY COMMITTED SUICIDE. BOTH PHYSICIANS CHOSEN BY MOHAPI'S WIFE TO EXAMINE BODY HAVE BEEN DETAINED AND AN INQUEST IS SCHEDULED FOR JANUARY 17 FOLLOWING EXPECTED RELEASE OF PHYSICIANS ON DEC 31, 1976. C) LUKE MAZWEMBE, 32, MEMBER OF WESTERN PROVINCE WORKERS' ADVICE BUREAU, DIED ON SEPTEMBER 2 IN CAPE TOWN. INQUEST INTO ALLEGED SUICIDE WAS BEGUN NOVEMBER 11 AND POSTPONED INDEFINITELY. D) DUMISANI MBATHA, 16, SOWETO STUDENT, DIED ON SEPTEMBER 25 IN JOHANNESBURG. MBATHA ALLEGEDLY DIED OF ILLNESS NINE DAYS FOLLOWING HIS ARREST. E) FENUEL MOGATUSI, 22, ROBBERY SUSPECT, DIED ON SEPTEMBER 28 IN JOHANNESBURG. MOGATUSI DIED OF NATURAL CAUSES, ACCORDING TO POLICE SPOKESMAN. F) EDWARD MZOLO, 40, DIED ON OCTOBER 9

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IN JOHANNESBURG. FACTS UNKNOWN. F) EDWARD MZOLO, 40, DIED ON OCTOBER 9 IN JOHANNESBURG. FACTS UNKNOWN. G) WILLIAM TSHWANE, SOWETO STUDENT, DIED ON OCTOBER 14 IN JOHANNESBURG. THE FAMILY ASKED TO SEE THE BODY AND WAS TOLD THAT IT HAD ALREADY BEEN BURIED. H) JACOB MASHABANE, 22, UNIVERSITY OF ZULULAND STUDENT, DIED

ON OCTOBER 14 IN JOHANNESBURG. MASHABANE ALLEGEDLY HUNG HIMSELF WHILE AWAITING TRIAL FOR AUTO THEFT. I) M.T. MOSALA AND JOYI TWASIFENE REPORTEDLY DIED SOMETIME IN NOVEMBER IN THE TRANSKEI. DETAILS UNKNOWN. J) ERNEST MAMASILA, 35, ALLEGEDLY HANGED HIMSELF ON NOVEMBER 17 IN BALFOUR, NATAL. POST MORTEM HELD, RESULTS UNKNOWN. K) WELLINGTON TSHAZIBANE, 30, OXFORD GRADUATE AND EMPLOYEE OF BEERS-LESOTHO MINING COMPANY, DIED ON DECEMBER 10 IN JOHANNESBURG. POST MORTEM HELD DECEMBER 14, RESULTS UNKNOWN. 1) GEORGE BOTHA, TEACHER IN PORT ELIZABETH, DIED ON DECEMBER 15 AFTER HE ALLEGEDLY JUMPED DOWN A STAIRWELL IN THE P.E. SECURITY BUILDING.

2. ON DECEMBER 14, THE SOUTH AFRICAN INSTITUTE OF RACE RELATIONS (SAIRR) TOOK THE LEAD IN DEMANDING A JUDICIAL COMMISSION OF INQUIRY TO INVESTIGATE DETAINEE DEATHS. DECEMBER 16 LEAD EDITORIAL IN RAND DAILY MAIL SECONDED SAIRR CALL AND COMMENTED THAT "THE IDEA THAT PEOPLE CAN BE MURDERED IN CUSTODY IS A PARTICULARLY HORRIBLE ONE, AND IN THE INTERESTS OF SOUTH AFRICA A FULL INQUIRY IS NEEDED." JOURNALISTS DONALD WOODS AND PERCY QOBOZA AND THE PROGRESSIVE-REFORM PARTY HAVE ALSO CALLED FOR AN INVESTIGATION INTO DETAINEE DEATHS.

3. ONLY SAG REACTION TO SAIRR REPORT HAS BEEN REFUSAL TO COMMENT BY MINISTER OF JUSTICE KRUGER TO PRESS INQUIRY. REASON GIVEN FOR REFUSAL BY KRUGER WAS FACT THAT SAIRR REPORT WAS DIRECTED TO PRESS AND NOT TO HIM.

4. SOUTHERN TRANSVAAL SECRETARY OF SAIRR INFORMED EMBOFF DECEMBER 18 THAT FOR FIRST TIME WITHIN MEMORY, THE AFRIKANER PRESS HAS ASKED FOR COPIES OF SAIRR STATEMENTS AND PRESS RELEASES.
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SAIRR SECRETARY DESCRIBED AFRIKANER PRESS AS "HOPPING MAD" AT NUMBER OF DEATHS IN DETENTION. SAIRR SECRETARY ADDED THAT ORGANIZATION IS SEEKING PUBLIC STATEMENT FROM AFRIKANER LAWYERS REQUESTING OFFICIAL PROBE INTO DEATHS. EFFORT TO OBTAIN LEGAL STATEMENT FROM AFRIKANERS HAS JUST BEGUN AND SAIRR IS CAUTIOUSLY HOPEFUL FOR SUCCESSFUL OUTCOME. IF THERE IS AFRIKANER-LEAD, SIMILAR STATEMENT FROM ENGLISH-SPEAKING LAWYERS MAY FOLLOW. ENGLISH LAWYERS HAVE BEEN NOTABLY RETICENT ABOUT SPEAKING OUT SINCE MINISTER OF JUSTICE JIMMY KRUGER'S SEVERE CRITICISM OF HEAD OF JOHANNESBURG BAR OVER BAR'S POSITION ON STATE SECURITY BILL DURING LAST PARLIAMENTARY SESSION. (CAPE TOWN 0564 AND 0590)

5. COPY OF SAIRR "ADMINISTRATION OF SECURITY LEGISLATION IN SOUTH AFRICA, 1976" WILL BE POUCED TO DEPARTMENT DEC 21.
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